

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re:)	
JIM R SPODICK and)	Case No. 12-23515-pp
LISA J SPODICK,)	Chapter 13
)	
Debtors.)	

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Jim Spodick and Lisa Spodick have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue, Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Nathan E. DeLadurantey
DeLadurantey Law Office, LLC
735 W. Wisconsin Avenue, Suite 720
Milwaukee, WI 53233

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:
 - A. X the Debtor;
 - B. the Chapter 13 Trustee (post-confirmation modifications only);
 - C. the holder of an unsecured claim (Name:) (post-confirmation only).
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
 - A. X post-confirmation;
 - B. pre-confirmation (Select i. or ii.);
 - i. Debtors/Debtors' attorney certifies that the proposed modification does not materially adversely affect creditors (L.R. 3015(b)); or
 - ii. Debtors/Debtors' attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: Vest title of non-homestead real estate located at 500 6th St., Racine, WI 53403 in Talmer Bank.
4. The reason(s) for the modification is/are:
5. Select A. or B.
 - A. X The Chapter 13 Plan confirmed or last modified on November 15, 2012, is modified as follows:
 - i. **The debtor's non-homestead real property located at 500 6th St., Racine, WI 53403 shall be surrendered in satisfaction of the secured claims held by Talmer Bank and John Apple pursuant to U.S.C. § 1325(a)(5)(C).**
 - ii. **Pursuant to 11 U.S.C. § 1322(9), title to the real property located at 500 6th St., Racine, WI 53403 shall vest in the first mortgage holder Talmer Bank upon confirmation of this plan.**
 - iii. **If no objection is raised, Talmer Bank and John Apple will be deemed to have accepted the terms of this plan pursuant to 11 U.S.C. § 1325(a)(5)(A).**
 - B. The unconfirmed Chapter 13 Plan dated is modified as follows:

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. **BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

CERTIFICATION

I, Nathan E. DeLadurantey, attorney for debtors, Jim Spodick and Lisa Spodick, certify that I have reviewed the modification proposed above with the debtors, and that the debtors have authorized me to file it with the court.

/s/ Nathan E. DeLadurantey

Counsel for the debtors

July 1, 2014

Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: July 1, 2014, at Milwaukee, Wisconsin.

DeLadurantey Law Office, LLC
Attorneys for Debtor

/s/

By: Nathan E. DeLadurantey
State Bar No. 1063937

Drafted by:
Daniel T. Beasley
SBN 1092029
735 W Wisconsin Ave., Suite 720
Milwaukee, WI 53233
(414) 377-0515; Fax (414) 755-0860
dan@delaw-law.com

A copy of the foregoing filed electronically on July 01, 2014 with:

Clerk, U.S. Bankruptcy Court
517 East Wisconsin Avenue
Milwaukee, WI 53202

Copies of the foregoing mailed or sent electronically
if the party named accepts electronic service on July 01, 2014:

Office of the U.S. Trustee
517 East Wisconsin Avenue, #430
Milwaukee, WI 53202

Mary B. Grossman
PO Box 510920
Milwaukee, WI 53203

The attached creditor matrix

/s/Caitlin York, Paralegal
(Electronically file by)

Label Matrix for local noticing
0757-2
Case 12-23515-pp
Eastern District of Wisconsin
Milwaukee
Tue Jul 1 15:54:53 CDT 2014

Attorney Todd Terry
432 Milwaukee Ave.
PO Box 700
Burlington, WI 53105-0700

GE Capital Retail Bank
c/o Recovery Management Systems Corporation
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Department of Workforce Development
201 E. Washington Ave.
Madison, WI 53703-2866

Southport Bank
7027 Green Bay Road
Kenosha, WI 53142-1436

IRS - Centralized Insolvency Operation
PO Box 7346
Philadelphia, PA 19101-7346

John Apple
1203 South St
Racine, WI 53402

Office of the U. S. Trustee
517 East Wisconsin Ave.
Room 430
Milwaukee, WI 53202-4510

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Talmer Bank
567 Broad St.
Lake Geneva, WI 53147-1419

Wis. Dept. of Revenue
PO Box 8901
Special Procedures Unit
Madison, WI 53708-8901

Wisconsin Department of Workforce Development
PO Box 7901
Madison, WI 53707-7901

James R Spodick
5440 River Hills Rd.
Racine, WI 53402-9777

Lisa J Spodick
5440 River Hills Rd.
Racine, WI 53402-9777

Mary B. Grossman
Chapter 13 Trustee
P.O. Box 510920
Milwaukee, WI 53203-0161

Nathan E. DeLadurantey
DeLadurantey Law Office
735 W. Wisconsin Avenue
Suite 720
Milwaukee, WI 53233-2413

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Southport Bank
7027 Green Bay Road
Kenosha, WI 53142-1436

End of Label Matrix
Mailable recipients 15
Bypassed recipients 1
Total 16